

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION

JEFFREY G. CORLE, Individually and on )  
Behalf of all other similarly situated, )  
Plaintiff, )

vs. )

CASE NO.: 1:11-CV-00226

ESTATE PLANNING AND PRESERVATION, INC., )  
DAWN-MARIE JOSEPH, JOSEPH & ASSOCIATES, PC, )  
PAUL T. JOSEPH, AMANDA L. KLAISS, JEFFREY D. )  
STEFFENS and ROBERT W. PICEC, )  
Defendants. )

**JOINT MOTION TO DISMISS**

Come now the defendants, Joseph & Associates, P.C., Paul T. Joseph and Amanda L. Klaiss, by counsel, and Estate Planning and Preservation, Inc. and Dawn-Marie Joseph, by counsel, pursuant to Rule 12(B)(1) and 12(B)(6) of the Federal Rules of Civil Procedure, and hereby move the Court to dismiss Count I of the Complaint for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. In support of this Motion, defendants would show the Court as follows:

1. In Count I of plaintiff's Class Action Complaint and Jury Demand, plaintiff, Jeffrey G. Corle, asserts a claim based upon the unauthorized practice of law by defendant, Estate Planning and Preservation, Inc. (hereinafter "EPP"), and its representatives.

2. Count I also asserts a claim against defendants, Joseph & Associates, P.C., Paul T. Joseph and Amanda L. Klaiss, for aiding and assisting EPP and the unauthorized practice of law.

3. The Indiana Supreme Court has exclusive jurisdiction over all matters relating to the practice of law in Indiana, including the unauthorized practice of law. Ind.App. Rule 4(B)(1)(c).

4. Indiana law does not recognize a private cause of action for the unauthorized practice of law.

WHEREFORE, defendants, Joseph & Associates, P.C., Paul T. Joseph, Amanda L. Klaiss, Estate Planning and Preservation, Inc. and Dawn-Marie Joseph, pray that the Court grant their motion and dismiss Count I of this action, and for all other just and proper relief in the premises.

CARSON BOXBERGER LLP

By /s/ Robert T. Keen, Jr.  
Robert T. Keen, Jr. (5475-02)  
Attorneys for Defendants,  
Joseph & Associates, Paul T. Joseph  
And Amanda Klaiss

1400 One Summit Square  
Fort Wayne, Indiana 46802  
Telephone: (260) 423-9411

BOSE, McKINNEY & EVANS, LLP

By /s/ V. Samuel Laurin  
V. Samuel Laurin  
Attorneys for Defendants  
Estate Planning and Preservation and  
Dawn-Marie Joseph

111 Monument Circle, Suite 2700  
Indianapolis, Indiana 46204  
Telephone: (317) 684-5000

**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of April, 2012, a true and complete copy of the above and foregoing was electronically filed and/or mailed to:

Andrew B. Miller  
Mark S. Fryman, Jr.  
Scott L. Starr  
STARR AUSTEN & MILLER, LLP  
201 S. Third Street  
Logansport, IN 46947

Robert W. Picec, *Pro Se*  
1752 Barry Road  
Williamston, MI 48895

/s/Robert T. Keen, Jr.